

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

COMPLAINT

(for non-prisoner filers without lawyers)

2016 AUG 29 P 1:02

UNITED STATES DISTRICT COURT JON W. SANFILIPPO
EASTERN DISTRICT OF WISCONSIN CLERK

(Full name of plaintiff(s))

Richard Arlen Coan Jr

v.

(Full name of defendant(s))

Zignego Ready Mix

Case Number:

16-C-1155

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of Wisconsin _____ and resides at
(State)

3118 86th Street Sturtevant, WI

(Address)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Zignego Ready Mix
(Name)

is (if a person or private corporation) a citizen of Wisconsin
(State, if known)
and (if a person) resides at _____
(Address, if known)
and (if the defendant harmed you while doing the defendant's job)
worked for _____
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

Mr Coan was employed at Zignego Ready Mix from May 2013 until May 16 2015.
During this time period Mr Coan had been assigned a specific truck to use for his
employee duties. After a short time working for Zignego Ready Mix, Mr Coan began
having difficulty with the power steering on his 72,000 pound gross vehicle weight
concrete mixer truck. Mr Coan informed Zignego Ready Mix that Mr Coan had a
disability referred to as "nerve entrapment syndrome" within his right elbow. Mr Coan
asked Zignego Ready Mix to accomodate his disability by simply repairing the power
steering controls. The U.S. Department of Transportation Federal Motor Carrier Safety
Administration (F.M.C.S.A.) mandates safety regulations and insists that safety
sensitive parts on all commercial vehicles MUST be repaired or placed out of service

until such repairs can be made. However, Zignego Ready Mix refused to repair the vehicle for a period of no less than 180 days. On May 16 2015 a power steering failure occurred on a public roadway. Mr Coan took extreme self injuring actions to prevent loss of life and his disability has been exacerbated as a result of the life saving action.

On May 16 2015 Mr Coan realized the severity of the steering failures and chose to voluntarily terminate employment with Zignego Ready Mix for two reasons. 1) Mr Coan in good faith, believed that his life and the safety of the general public was at risk.

2) Mr Coan believed that he was discriminated against on the basis of his disability, in that Mr Coan was denied reasonable accomodation in violation of Title I of the Americans with Disabilities Act of 1990, as amended. Mr Coan wishes this matter to be heard and decided by a jury of his peers.

C. JURISDICTION

I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$ _____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

Mr Coan is seeking \$107,500.00 for pain and suffering, \$53,280.00 for retraining,
\$98,744.00 for lost wages (to date), \$11,635.00 for assistive living devices to
accommodate his exacerbated disability, \$15,000.00 for his physical impairment totalling
\$286,159.00 in compensatory damages and \$572,318.00 in punitive damages.
